

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CYWEE GROUP LTD.,

CASE NO. 1:17-cv-00780-GMS

*Plaintiff,*

MOTOROLA MOBILITY LLC,

JURY TRIAL DEMANDED

*Defendant.*

**PLAINTIFF'S ANSWER TO DEFENDANT'S COUNTERCLAIMS**

Plaintiff and Counterclaim-Defendant CyWee Group Ltd. (“CyWee”) answers herein Motorola Mobility LLC’s (“Motorola”) counterclaims (“Counterclaims”) in its Answer to First Amended Complaint for Patent Infringement (Dkt. No. 8) with numbered paragraphs corresponding to like-numbered paragraphs of the Counterclaims as follows. Unless expressly admitted all averments asserted by Motorola in its Counterclaims are denied.

**ANSWER TO COUNTERCLAIMS**

1. CyWee admits that Motorola seeks declaratory judgments of non-infringement and invalidity of U.S. Patent Nos. 8,441,438 (“the ’438 Patent”) and U.S. Patent No. 8,552,978 (“the ’978 Patent”) but denies that Motorola is entitled to judgment in its favor.

**PARTIES**

2. CyWee is without sufficient information to admit or deny the allegations of Paragraph 2.

3. CyWee admits the allegations of Paragraph 3.

**JURISDICTION AND VENUE**

4. CyWee admits that the Court has jurisdiction over the subject matter of the

Counterclaims.

5. CyWee admits the allegations of Paragraph 5.
6. CyWee admits that the Court has personal jurisdiction over it for purposes of this litigation only. CyWee denies any remaining allegations of Paragraph 6.

#### **FACTUAL BACKGROUND**

7. CyWee admits the allegations of Paragraph 7.
8. CyWee denies the allegations of Paragraph 8.
9. CyWee admits the allegations of Paragraph 9.

#### **FIRST COUNTERCLAIM**

##### **Declaratory Judgment of Non-Infringement of U.S. Patent 8,441,428**

10. Paragraph 10 restates and incorporates by reference the allegations contained of Paragraphs 1-9 of the Counterclaims. In response, CyWee incorporates by reference its answers to those paragraphs.

11. CyWee admits the allegations of Paragraph 11.
12. CyWee denies the allegations of Paragraph 12.
13. CyWee denies the allegations of Paragraph 13.
14. CyWee admits that it seeks relief, including attorney fees, under 35 U.S.C. § 285.

CyWee denies that Motorola is entitled to any relief under 35 U.S.C. § 285.

#### **SECOND COUNTERCLAIM**

##### **Declaratory Judgment of Non-Infringement of U.S. Patent No. 8,552,978**

15. Paragraph 15 restates and incorporates by reference the allegations contained of Paragraphs 1-14 of the Counterclaims. In response, CyWee incorporates by reference its answers to those paragraphs.

16. CyWee admits the allegations of Paragraph 16.
17. CyWee denies the allegations of Paragraph 17.
18. CyWee denies the allegations of Paragraph 18.
19. CyWee admits that it seeks relief, including attorney fees, under 35 U.S.C. § 285.

CyWee denies that Motorola is entitled to any relief under 35 U.S.C. § 285.

### **THIRD COUNTERCLAIM**

#### **Declaratory Judgment of Invalidity of U.S. Patent No. 8,441,438**

20. Paragraph 20 restates and incorporates by reference the allegations contained of Paragraphs 1-19 of the Counterclaims. In response, CyWee incorporates by reference its answers to those paragraphs.

21. CyWee admits the allegations of Paragraph 21.
22. CyWee denies the allegations of Paragraph 22.
23. CyWee denies the allegations of Paragraph 23.
24. CyWee admits that it seeks relief, including attorney fees, under 35 U.S.C. § 285.

CyWee denies that Motorola is entitled to any relief under 35 U.S.C. § 285.

### **FOURTH COUNTERCLAIM**

#### **Declaratory Judgment of Invalidity of U.S. Patent No. 8,552,978**

25. Paragraph 25 restates and incorporates by reference the allegations contained of Paragraphs 1-24 of the Counterclaims. In response, CyWee incorporates by reference its answers to those paragraphs.

26. CyWee admits the allegations of Paragraph 26.
27. CyWee denies the allegations of Paragraph 27.
28. CyWee denies the allegations of Paragraph 28.

29. CyWee admits that it seeks relief, including attorney fees, under 35 U.S.C. § 285.

CyWee denies that Motorola is entitled to any relief under 35 U.S.C. § 285.

**PRAYER FOR RELIEF**

CyWee denies that Motorola is entitled to judgment in its favor or to any of the relief it requested. CyWee further denies each and every allegation of the Counterclaims to which CyWee has not specifically admitted, denied, or otherwise responded herein.

Dated: September 18, 2017

Respectfully submitted,

/s/ Stamatos Stamoulis

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**CERTIFICATE OF SERVICE**

The undersigned certifies that, on September 18, 2017, a true and correct copy of the foregoing First Amended Complaint for Patent Infringement was served upon Defendant, via Certified Mail, Return Receipt Requested, in accordance with Fed. R. Civ. P. 5.

/s/ Stamatos Stamoulis

Stamatos Stamoulis